

1 HONORABLE RICHARD A. JONES
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 STACEY RAY STACH,
10 Plaintiff,

11 v.
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BRENDA J. LARSON, et al.,
13 Defendants.

CASE NO. C12-1521RAJ
ORDER

14 This matter comes before the court on a Report and Recommendation (“R&R”)
15 from the Honorable Brian A. Tsuchida, United States Magistrate Judge. Dkt. # 4. The
16 R&R recommends that the court DISMISS this case because Plaintiff has neither paid the
17 filing fee nor submitted an application to proceed in forma pauperis.

18 Plaintiff has responded to the R&R not with objections, but with a series of filings
19 that point out that he has another case pending in this District. *Stach v. Elfo*, No. 12-
20 1803RSL. He also makes repeated reference to “Case No: 08-1-007668-9,” which the
21 court can only assume is a state court case, although the record does not reveal which
22 state court. Plaintiff appears to be attempting to make filings in the state court case in
23 federal court. One of his filings includes an application for court-appointed counsel
24 (Dkt. # 5) that suggests that Plaintiff believes he has already been granted in forma
25 pauperis status, perhaps in the state court case.

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1 Plaintiff's filings are difficult to comprehend, but none of them acknowledge his
2 failure to pay the filing fee or suggest that he has any intent to file a motion to proceed in
3 forma pauperis in this case. For that reason, the court ADOPTS the R&R and directs the
4 clerk to dismiss this case without prejudice.

5 DATED this 28th day of November, 2012.

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The Honorable Richard A. Jones
United States District Court Judge

ORDER - 2